

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	) <b>Bankruptcy Case No. 23-21916-JCM</b>
Marvin Arturo Galeas and	)
Amber Anne Galeas,	)
<b>Debtors,</b>	) <b>Chapter 13</b>
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	)
Marvin Arturo Galeas and	) <b>Hearing Date:</b> March 26, 2024 @ 1:30 p.m.
Amber Anne Galeas,	)
<b>Debtors,</b>	) <b>Responses Due:</b> March 7, 2024
<b>v.</b>	)
Forward Financing, LLC;	) <b>Related to Docket No. 47, 48</b>
American Builders & Contractors	)
Supply, Co. Inc.; and Ronda J.	)
Winnecour, Chapter 13 Trustee;	)
<b>Respondents.</b>	) <b>Document No.</b>

**STIPULATED CONSENT ORDER (I) RESOLVING CONTESTED MATTER AS TO  
AMERICAN BUILDERS & CONTRACTORS SUPPLY CO. INC. AND (II)  
CLASSIFYING AND ALLOWING PROOF OF CLAIM NO. 12**

**AND NOW**, come the Movants, Marvin and Amber Galeas, and Respondent, American Builders & Contractors Supply Co., Inc., by and through their respective undersigned attorneys, stipulate and agree to the following order resolving the *MOTION TO (A) DETERMINE SECURED STATUS, (B) AVOID JUDICIAL LIEN, AND (C) DISALLOW, OR IN THE ALTERNATIVE, OBJECT TO CLAIM* (ECF No. 47) as to Respondent, American Builders & Contractors Supply Co., Inc.:

## **STIPULATIONS OF THE PARTIES**

A. Marvin and Amber Galeas (the “Debtors”) filed a chapter 13 bankruptcy on September 11, 2023.

B. As part of the Debtors' bankruptcy estate is the real property located at 3083 Countryside Drive, Allison Park, PA 15101.

C. The Debtors asserted an exemption in the amount of \$55,800 pursuant to 11 U.S.C. § 522(d)(1).

D. The Debtors asserted that several liens encumber 3083 Countryside Drive, Allison Park, PA 15101.

E. American Builders & Contractors Supply Co., Inc. asserted a judicial lien in the amount of \$64,944.29 based on its timely filed Proof of Claim No. 12 (the "Claim") and a judgment entered in its favor and against the Debtors in the United States District Court for the Western District of Pennsylvania on June 13, 2022.

F. The Debtors have asserted that American Builders & Contractors Supply Co., Inc.'s judicial lien should be avoided under the Bankruptcy Code upon the completion of the Debtors' Chapter 13 plan and American Builders & Contractors Supply Co., Inc. has disputed the allegations raised in the Debtors' Motion (ECF No. 47).

G. In lieu of further litigation, to minimize costs and expenses and risks of litigation and delay in the resolution of the issues and disputes between the parties hereto, the parties hereto, upon the advice of counsel, have agreed, subject to the approval of the United States Bankruptcy Court for the Western District of Pennsylvania, to resolve the dispute regarding the allowance and secured status of American Builders & Contractors Supply Co., Inc.'s Claim through this stipulated consent order and without admission or determination of the merits.

H. Each party represents that it is authorized to enter into this Consent Order and the person signing below is such party's authorized representative. This Consent Order constitutes the entire agreement between the parties hereto with respect to the subject matter hereof, and all prior understandings or agreements with respect thereto, if any, are merged into this Consent Order. No term or provision of this Consent Order may be altered or changed in any respect except by a written agreement executed by the parties hereto.

I. This Consent Order may be signed in counterparts, each of which shall be an original, with the same effect as if all signature pages were on the same instrument. Delivery of an executed signature page of this Consent Order by facsimile transmission or electronic transmission (in PDF format) shall be effective as delivery of a manually executed counterpart hereof.

### **CONSENT ORDER**

It is hereby **ORDERED, ADJUDGED, and DECREED** as follows:

1. Upon the Court's approval and entry of this Consent Order, the Debtors' Motion (ECF No. 47) shall be **RESOLVED as to AMERICAN BUILDERS & CONTRACTORS SUPPLY CO., INC.** as set forth herein.

2. The Claim of **AMERICAN BUILDERS & CONTRACTORS SUPPLY CO., INC.** shall be deemed an Allowed General Unsecured Claim in the amount of \$64,944.29 as set forth in its Proof of Claim and shall not be subject to any challenge, objection, reduction, counterclaim or offset for any reason. The Claim shall be treated as an unsecured claim to be paid at the same rate as all other unsecured claims in this bankruptcy case.

3. Upon the successful completion of the Debtors' Chapter 13 bankruptcy plan, the judicial lien of **AMERICAN BUILDERS & CONTRACTORS SUPPLY CO., INC.** shall be stripped off the Debtors' real property commonly known by the street address of 3083 Countryside Drive, Allison Park, PA 15101 and be deemed null and void.

4. **AMERICAN BUILDERS & CONTRACTORS SUPPLY CO., INC.** shall not be compelled to record a copy of this Order in any appropriate offices and/or dockets or take any other action with respect to this Consent Order, the Debtors' Chapter 13 case and/or its judgment entered in the United States District Court for the Western District of

Pennsylvania. However, subject to the successful completion of the making of the payments under the Debtor's Chapter 13 bankruptcy plan, the Debtors retain the right to file a Certified Copy of this Order in all appropriate offices and dockets, including but not limited to, the Court of Common Pleas of Allegheny County, Pennsylvania and the United States District Court for the Western District of Pennsylvania to reflect to the stripping of AMERICAN BUILDERS & CONTRACTORS SUPPLY CO., INC.'s judicial lien from the real property commonly known by the street address of 3083 Countryside Drive, Allison Park, PA 15101.

5. The Bankruptcy Court shall retain jurisdiction over the interpretation and enforcement of this Order.

**CONSENTED TO BY:**

*On behalf of the Debtors*  
*Marvin Arturo and Amber Anne*  
*Galeas*

/s/ Andrew K. Pratt  
Andrew K. Pratt, Esq.  
PA ID. No. 328784

*On behalf of Creditor*  
*America Builders & Contractors*  
*Supply Co., Inc.*

/s/ Scott H. Bernstein  
Scott H. Bernstein, Esq.  
PA ID No. 321763

**By the Court,**

John C. Melaragno, Judge  
**United States Bankruptcy Court**